

CHAPTER 104**BOARD OF EDUCATIONAL EXAMINERS MEMBERSHIP***H.F. 615*

AN ACT relating to the membership of the board of educational examiners.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 272.3, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The board of educational examiners consists of ~~eleven~~ twelve members. Two must be members of the general public, ~~one must be the director of the department of education or the director's designee~~, and the remaining nine ~~members~~ must be licensed practitioners. One of the public members shall have served on a school board. The public members shall never have held a practitioner's license, but shall have a demonstrated interest in education. ~~One of the licensed practitioners shall be the director of the department of education or the director's designee.~~ The ~~remaining eight~~ nine practitioners shall be selected from the following areas and specialties of the teaching profession:

Approved April 23, 2007

CHAPTER 105**CLARINDA CORRECTIONAL FACILITY —
PURPOSE AND USE***H.F. 759*

AN ACT specifying the functions of the Clarinda correctional facility.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 904.205, Code 2007, is amended to read as follows:

904.205 CLARINDA CORRECTIONAL FACILITY.

The state correctional facility at Clarinda shall be utilized as a secure men's correctional facility primarily for offenders with chemical dependence, mental retardation, or ~~social inadequacies~~ mental illness.

Approved April 23, 2007

CHAPTER 106**TEMPORARY MODIFICATION OF CHILD SUPPORT ORDERS***H.F. 780*

AN ACT relating to the issuance of temporary orders modifying an order of child support.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 598.21C, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. TEMPORARY MODIFICATION OF CHILD SUPPORT ORDERS. While an application for modification of a child support or child custody order is pending, the court may, on its own motion or upon application by either party, enter a temporary order modifying an order of child support. The court may enter such temporary order only after service of the original notice, and an order shall not be entered until at least five days' notice of hearing and opportunity to be heard, is provided to all parties. In entering temporary orders under this subsection, the court shall consider all pertinent matters, which may be demonstrated by affidavits, as the court may direct. The hearing on application shall be limited to matters set forth in the application, the affidavits of the parties, and any required statements of income. The court shall not hear any other matter relating to the application for modification, respondent's answer, or any pleadings connected with the application for modification or the answer. This subsection shall also apply to an order, decree, or judgment entered or pending on or before July 1, 2007, and shall apply to an order entered under this chapter, chapter 252A, 252C, 252F, 252H, 252K, or 600B, or any other applicable chapter of the Code.

Approved April 23, 2007

CHAPTER 107**SEIZED PROPERTY IN CRIMINAL PROCEEDINGS —
DISPOSITION***S.F. 175*

AN ACT relating to the disposition of seized property in a criminal proceeding.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 809.5, subsection 1, Code 2007, is amended to read as follows:

1. Seized property which is no longer required as evidence or for use in an investigation ~~may~~ shall be returned to the owner ~~without the requirement of a hearing~~, provided that the person's possession of the property is not prohibited by law and there is no forfeiture claim filed on behalf of the state. The seizing agency ~~or prosecuting attorney~~ shall send notice by ~~regular restricted certified mail, if the value of the property is less than fifty dollars, or certified mail, if the value of the property is equal to or greater than fifty dollars, return receipt requested~~, to the last known address of any person having an ownership or possessory right in the property stating that the property ~~is released and~~ must be claimed within thirty days from the date of receipt of the notice. ~~Refusal of restricted certified mail, return receipt requested, shall be construed as receipt of the notice.~~ Such notice shall state that if no written claim for the property